



PDO/Tom
gt

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/777,686	02/07/2001	Noriaki Oshima	Q63063

OIPE JC177
JUL 24 2001
PATENT & TRADEMARK OFFICE
SILVERHUE, MION, ZINN, MACPEAK & SEAS, PLLC
100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037-3213

CONFIRMATION NO. 3329

FORMALITIES LETTER



OC000000006002120

Date Mailed: 04/24/2001

APR 26 2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 260.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

*A copy of this notice **MUST** be returned with the reply.*

h

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/777,686	05/23/2001	Noriaki Oshima	Q63063

O I P E
JUL 24 2001
CITY
PATENT & TRADEMARK OFFICE
MCGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037-3213

CONFIRMATION NO. 3329
FORMALITIES LETTER



OC00000006259775

Date Mailed: 07/05/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, doesnot include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may,however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a)accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

*A copy of this notice **MUST** be returned with the reply.*

SR

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of

Noriaki OSHIMA, et al.

Confirmation No.: 3329

Appln. No.: 09/777,686

Group Art Unit: Not Yet Assigned

Filed: February 7, 2001

Examiner: Not Yet Assigned

For: OPTICAL RECORDING MEDIUM

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

ATTN: BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL) dated July 5, 2001, and in further response to the "Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) - Filing Date Granted," for the above application, Applicants respectfully submit a revised ABSTRACT OF THE DISCLOSURE, not exceeding 150 words in length.

The Examiner is respectfully requested to acknowledge receipt of the revised ABSTRACT.

A Petition for Extension of Time and check for the statutory fee are attached to this Response.

In NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL), in the first full paragraph it is stated:

"The reply, however, doesnot (sic - does not) include the following items required in the Notice."
(underscore added) ...

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 C.F.R. § 1.72(b))".

Attached is a copy of the original NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION.

There is no mention made therein of an Abstract.

RESPONSE TO NOTICE OF INCOMPLETE REPLY
U.S. Patent Application No. 09/777686

Thus, the statement that an Abstract was "required in the Notice." is incorrect and, accordingly, no Petition for Extension of Time should be necessary.

Therefore, a refund of the Extension of Time fee of \$110, submitted July 24, 2001, is hereby requested. A credit may be applied to our Deposit Account No. 19-4880.

In addition, the NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL) reflects a FILING/RECEIPT DATE of May 23, 2001 (the filing date of the formal documents). However, since the OFFICIAL FILING RECEIPT mailed April 24, 2001, the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION mailed April 24, 2001 and the NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL) mailed July 5, 1002 note that the filing date (February 7, 2001) has been granted, Applicants respectfully request notification of the correct filing date received.

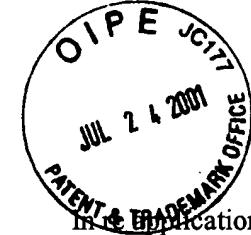
Respectfully submitted,



Peter D. Olexy, PC
Registration No. 24,513

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860
Date: July 24, 2001

Attorney Docket No.: Q63063



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of:

Noriaki OSHIMA, et al.

Appln. No.: 09/777,686

Group Art Unit: Not Yet Assigned

Confirmation No.: 3329

Examiner: Not Yet Assigned

Filed: February 07, 2001

For: OPTICAL RECORDING MEDIUM

REQUEST FOR REFUND

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby respectfully request a refund in the amount of \$110.00. This refund is to be credited to Deposit Account No. 19-4880.

The requested amount was attached to a Petition for Extension of Time, filed July 24, 2001, which Applicants believe was required by the USPTO in error.

In NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL), in the first full paragraph it is stated:

"The reply, however, doesnot (sic - does not) include the following items required in the Notice."
(underscore added) ...

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 C.F.R. § 1.72(b))".

Attached is a copy of the original NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION.

There is no mention made therein of an Abstract.

REQUEST FOR REFUND
U.S. Patent Application No. 09/777,686

Thus, the statement that an Abstract was "required in the Notice." is incorrect and, accordingly, no Petition for Extension of Time should be necessary.

Therefore, a refund of the Extension of Time fee of \$110, submitted July 24, 2001, is hereby requested. A credit may be applied to our Deposit Account No. 19-4880.

A duplicate copy of this paper is attached.

Respectfully submitted,



Peter D. Olexy, PC
Registration No. 24,513

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: July 24, 2001

Attorney Docket No.: Q63063